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UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

MONROE DIVISION

CHARLES W. MAYFIELD, ET AL.

CIVIL ACTION NO. 08-0861

VERSUS

JUDGE ROBERT G. JAMES

NEWELL RUBBERMAID, INC., ET AL.

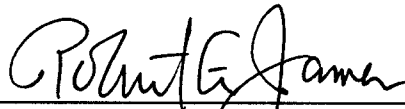
MAGISTRATE JUDGE HORNSBY

JUDGMENT

For the reasons assigned in the Report and Recommendation of the Magistrate Judge previously filed herein [Doc. No. 65], and having reviewed the record, including the written objections filed [Doc. Nos. 68, 69, 70, & 73], and finding that the Magistrate Judge's Report and Recommendation is correct and that judgment as recommended therein is warranted;

IT IS ORDERED, ADJUDGED, AND DECREED that Newman-Green, Inc.'s ("Newman") Motion to Dismiss [Doc. No. 51] is GRANTED, and Irwin Industrial Tool Co.'s ("Irwin") claims against Newman are DISMISSED WITHOUT PREJUDICE to Irwin's right to reassert its claims against Newman should it discover facts that allow it to sufficiently plead its claims.

MONROE, LOUISIANA, this 13 day of May, 2010.



ROBERT G. JAMES
UNITED STATES DISTRICT JUDGE